

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

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SIERRA NEVADA FOREST PROTECTION
CAMPAIGN, CENTER FOR BIOLOGICAL
DIVERSITY, NATURAL RESOURCES
DEFENSE COUNCIL, SIERRA CLUB,
and THE WILDERNESS SOCIETY,
non-profit organizations,

No. CIV-S-05-0205 MCE GGH

CIV-S-05-0211 MCE GGH

CIV-S-05-0905 MCE GGH

CIV-S-05-0953 MCE GGH

(Related Cases)

Plaintiffs,

v.

ORDER RE: BRIEFING SCHEDULE

MARK REY, in his official
capacity as Under Secretary of
Agriculture, DALE BOSWORTH, in
his official capacity as Chief
of the United States Forest
Service, JACK BLACKWELL, in his
official capacity as Regional
Forester, Region 5, United
States Forest Service, and
JAMES M. PEÑA, in his official
capacity as Forest Supervisor,
Plumas National Forest,

Defendants.

and Related Cases.

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2 Counsel for the Federal Defendants in these related cases
3 has requested limited reconsideration of the Court's October 27,
4 2005 Order, which establishes a briefing schedule and imposes
5 page limitations on the briefs to be submitted by the various
6 parties. Specifically, federal counsel asks that the Court
7 permit it to submit a combined opposition to Plaintiffs' motions
8 for summary judgment that also incorporates the Federal
9 Defendants' own cross motions for summary judgment, if any.
10 Counsel argues that such combined briefing¹ will eliminate
11 potential pleading redundancies and would consequently promote
12 judicial economy.

13 After considering this matter further, the Court remains
14 convinced that separate briefing will best ensure that the
15 various issues presented by these related cases are effectively
16 and expeditiously considered. The Court fully expects that
17 certain overlapping arguments may be incorporated by reference
18 from other pleadings. The Court believes that combined briefing
19 will make it logistically difficult, if not nearly impossible, to
20 assess each motion on its own merits. Consequently, Federal
21 Defendants' Motion for Limited Reconsideration is DENIED.

22 Because oral argument would not be of material assistance to
23 the Court in resolving this matter, oral argument is unnecessary
24 and a hearing date need not be established. See Local Rule 78-
25 230(h). Accordingly, it is also not necessary to rule on Federal

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27 ¹Counsel in fact proposes combined briefing in this regard
28 totaling 55 pages, as opposed to the 50 pages for each cross-
motion, and 35 pages for opposing Plaintiffs' motions, that is
permitted under the terms of the October 27, 2005 Order.

1 Defendant's request that time be shortened for a hearing on their
2 request for limited reconsideration, and the Court declines to do
3 so.

4 IT IS SO ORDERED.

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6 DATED: November 8, 2005

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10 MORRISON C. ENGLAND, JR.
11 UNITED STATES DISTRICT JUDGE
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